# UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

FAIR ISAAC CORPORATION, a	) Case No. 16-cv-1054 (WMW/DTS)
Delaware corporation,	)
	)
Plaintiff,	)
	)
v.	)
FEDERAL INSURANCE COMPANY, an	)
Indiana corporation, and ACE	)
AMERICAN INSURANCE COMPANY, a	)
Pennsylvania corporation.	)
	)
Defendants.	)

## JOINT MOTION REGARDING CONTINUED SEALING

Documents have been filed under temporary seal in connection with Defendants' Motion to Strike Plaintiff's Jury Demand on Disgorgement Remedy, and Defendants' Motion to Compel Discovery, Dkt. Nos. 331, 334, 339, 341, 345, 348, 348-1, 353, 356, and 356-1. Pursuant to Local Rule 5.6, the parties submit this Joint Motion Regarding Continued Sealing.

DKT.	DKT. NO. OF	DESCRIPTION	MARK "X" IN	APPLICABLE C	OLUMN	NONPARTY	REASON WHY
NO.	REDACTED	OF	Parties Agree	Parties Agree	Parties	THAT	DOCUMENT SHOULD
	VERSION	DOCUMENT	Doc. Should	Doc. Should	Disagree	DESIGNATED	REMAIN SEALED OR BE
	(IF FILED)		Remain Sealed	Be Unsealed		DOC.	UNSEALED
						CONFIDENTIAL	
						(IF ANY)	
331		Federal's			X	N/A	This document should remain
		Memorandum					sealed. This motion was filed
		of Law in					under seal to protect the
		Support of					Parties' commercially
		Motion to					confidential information. This
		Strike					commercially confidential
		Plaintiff's Jury					information includes the
		Demand on					terms of the Software License
		Disgorgement					Agreement that is the subject
		Remedy					of this dispute. The license
							agreement was designated as
							Confidential and Attorneys'
							Eyes Only by Plaintiff under
							the Protective Order. This
							motion also contains excerpts
							and quotations from
							documents and depositions
							that the parties have
							designated Confidential,
							Attorneys' Eyes Only under
							the Protective Order because
							they contain the Parties'
							confidential business
							information.
							Plaintiff believes this

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	(IF FILED)		Remain Sealed	Be Unsealed	S	DOC.	UNSEALED
						CONFIDENTIAL	
						(IF ANY)	
							document is amenable to
							redaction. Plaintiff agrees that
							the unredacted version of this
							memorandum should remain
							sealed.
334		Exhibits 1-9 to	X		X	N/A	This document should remain
		Declaration of	The Parties		Plaintiff		sealed. This document was
		Christopher D.	agree Exhibits		believes		filed under seal to protect the
		Pham in	4-9 should		Exhibits		Parties' commercially
		Support of	remain sealed.		1-3 are		confidential information. This
		Motion to			amenable		commercially confidential
		Strike			to		information includes the
		Plaintiff's Jury			redaction.		terms of the Software License
		Demand on					Agreement that is the subject
		Disgorgement					of this dispute. The license
		Remedy					agreement was designated as
							Confidential and Attorneys'
							Eyes Only by Plaintiff under
							the Protective Order. This
							document also contains
							excerpts and quotations from
							documents, depositions,
							and/or reports that the parties
							have designated Confidential,
							Attorneys' Eyes Only under
							the Protective Order because
							they contain the Parties'

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	(IF FILED)		Remain Sealed	Be Unsealed		DOC.	UNSEALED
						CONFIDENTIAL	
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							confidential business
							information.
							Plaintiff believes Exhibits 1-3
							are amenable to redaction.
							Indeed, the Software License
							and Amendments have been
							filed with redactions on
							multiple occasions. Plaintiff
							agrees that the unredacted
							version of Exhibits 1-3 should
							remain sealed.
339		Federal's			X	N/A	This document should remain
		Memorandum			Plaintiff		sealed. This document was
		of Law in			believes		filed under seal to protect the
		Support of			this		Parties' commercially
		Defendants'			document		confidential information.
		Motion to			is		This motion also contains
		Compel			amenable		excerpts and quotations from
		Discovery			to		documents and depositions
					redaction.		that the parties have
							designated Confidential,
							Attorneys' Eyes Only under
							the Protective Order because
							they contain the Parties'
							confidential business
							information.

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	VERSION (IF FILED)	DOCUMENT	Doc. Should Remain Sealed	Doc. Should Be Unsealed	Disagree	DESIGNATED DOC. CONFIDENTIAL (IF ANY)	REMAIN SEALED OR BE UNSEALED
							Plaintiff believes this document is amenable to redaction. Plaintiff agrees that the unredacted version of this memorandum should remain sealed.
341		Exhibits 1, 2 and 6 to Declaration of Terrence J. Fleming in Support of Defendants' Motion to Compel Discovery	X Parties agree Exhibits 1 and 2 should remain sealed.	X Parties agree Exhibit 6 should be unsealed.		N/A	This document should remain sealed. This document was filed under seal to protect the Parties' commercially confidential information.  This motion also contains excerpts and quotations from documents and depositions that the parties have designated Confidential, Attorneys' Eyes Only under the Protective Order because they contain the Parties' confidential business information.  The Parties agree that Exhibit 6 should be unsealed as it contains no confidential information.

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						(IF ANY)	
345	346	FICO's	X			N/A	This document should remain
		Memorandum					sealed. The non-confidential
		in Opposition to					portions of this document are
		Motion to					available in Dkt. No. 346.
		Strike					This document was filed
		Plaintiff's Jury					under seal to protect the
		Demand on					Parties' commercially
		Disgorgement					confidential information.
		Remedy					This motion also contains
							excerpts and quotations from
							documents and depositions
							that the parties have
							designated Confidential,
							Attorneys' Eyes Only under
							the Protective Order because
							they contain the Parties'
							confidential business
							information.
348		Exhibit 2 to	X			N/A	This document should remain
		Declaration of					sealed. This document was
		Heather					filed under seal to protect the
		Kliebenstein in					Parties' commercially
		Support of					confidential information.
		Opposition to					This motion also contains
		Motion to					excerpts and quotations from
		Strike					documents that the parties
		Plaintiff's Jury					have designated Confidential,

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						(IF ANY)	
		Demand on					Attorneys' Eyes Only under
		Disgorgement					the Protective Order because
		Remedy					they contain the Parties'
							confidential business
							information.
348-1		Exhibit 3 to	X			N/A	This document should remain
		Declaration of					sealed. This document was
		Heather					filed under seal to protect the
		Kliebenstein in					Parties' commercially
		Support of					confidential information.
		Opposition to					This motion also contains
		Motion to					excerpts and quotations from
		Strike					a deposition that the parties
		Plaintiff's Jury					have designated Confidential,
		Demand on					Attorneys' Eyes Only under
		Disgorgement					the Protective Order because
		Remedy					they contain the Parties'
							confidential business
							information.
353		FICO's			X	N/A	This document should remain
		Opposition to			Plaintiff		sealed. This document was
		Defendants'			contends		filed under seal to protect the
		Motion to			this		Parties' commercially
		Compel			document		confidential information.
		Discovery			is		This motion also contains
					amenable		excerpts and quotations from
					to		documents and depositions

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	(IF FILED)		Remain Sealed	Be Unsealed	C	DOC.	UNSEALED
						CONFIDENTIAL	
						(IF ANY)	
					redaction		that the parties have
					if Dkt.		designated Confidential,
					339 is		Attorneys' Eyes Only under
					filed in a		the Protective Order because
					redacted		they contain the Parties'
					form.		confidential business
							information.
							Plaintiff contends that this
							memorandum may be
							amenable to redaction.
							Plaintiff filed the
							memorandum under seal due
							to citations to Defendants'
							brief which was filed under
							seal. If Dkt. 339 is refiled
							with redactions, this
							memorandum can be refiled
							with redactions as well.
							Plaintiff agrees that the
							unredacted version of this
							memorandum should remain
256		P 1915.4	***			27/4	sealed.
356		Exhibit 1 to	X			N/A	This document should remain
		Declaration of					sealed. This document was
		Allen W.					filed under seal to protect the
		Hinderaker in					Parties' commercially

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						CONFIDENTIAL	
						(IF ANY)	
		Support of					confidential information.
		FICO's					This motion also contains
		Opposition to					excerpts and quotations from
		Motion to					a document that the parties
		Compel					have designated Confidential,
		Discovery					Attorneys' Eyes Only under
							the Protective Order because
							they contain the Parties'
							confidential business
256.1		E 131404	W			T / A	information.
356-1		Exhibit 2 to	X			N/A	This document should remain
		Declaration of					sealed. This document was
		Allen W. Hinderaker in					filed under seal to protect the
							Parties' commercially confidential information.
		Support of FICO's					This motion also contains
		Opposition to					excerpts and quotations from
		Motion to					a deposition that the parties
		Compel					have designated Confidential,
		Discovery					Attorneys' Eyes Only under
		Discovery					the Protective Order because
							they contain the Parties'
							confidential business
							information.
	]						mormanon.

Dated: August 7, 2019

#### /s/ Joseph W. Dubis

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-AND-

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